

MAIL STOP PCT

"Express Mail" mailing label number: EV 715031215 US

IAP20 RECEIVED 19 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
CASM126914		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/561283		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/AU2004/000802	June 18, 2004	June 20, 2003
TITLE OF INVENTION		
RYEGRASS POLLEN-SPECIFIC PROMOTERS AND EXPRESSION CONSTRUCTS		
APPLICANTS FOR DO/EO/US		
German SPANGENBERG, Angela Jane LIDGETT, Natasha PETROVSKA, and Michael EMMERLING		

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ 4. The US has been elected (Article 31).
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- ☒ a. is attached hereto (required only if not communicated by the International Bureau).
- ☒ b. has been communicated by the International Bureau.
- ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

- ____ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- ____ a. are attached hereto (required only if not communicated by the International Bureau).
- ____ b. have been communicated by the International Bureau.
- ____ c. have not been made; however, the time limit for making such amendments has NOT expired.
- ____ d. have not been made and will not be made.
- ____ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ____ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ____ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ____ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ____ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ____ 13. A preliminary amendment.
- X 14. An Application Data Sheet under 37 C.F.R. 1.76.
- ____ 15. A substitute specification.
- ____ 16. A power of attorney and/or change of address letter.
- X 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825 is transmitted herewith in printed and computer-readable formats. The paper and computer-readable copies of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested. The paper copy comprises 6 additional pages.
- ____ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ____ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X 20. Other items or information: A copy of the International Search Report.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

The following fees are submitted:.				CALCULATIONS	
21. <input checked="" type="checkbox"/> a) Basic national fee..... \$300				\$300.00	
22. <input checked="" type="checkbox"/> b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 All other situations.....\$200.00				\$200.00	
23. <input checked="" type="checkbox"/> c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400.00 All other situations.....\$500.00				\$400.00	
TOTAL OF ABOVE CALCULATIONS =				\$900.00	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
50 - 100 =	0/50=		x \$250	\$--	
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	31 - 20 =	11	x \$50	\$550	
Independent claims	1 - 3 =	0	x \$200	\$--	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$360	
TOTAL OF ABOVE CALCULATIONS =				\$1,810	
____ Applicants claim small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$--	
SUBTOTAL =				\$1,810	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$--	
TOTAL NATIONAL FEE =				\$1,810	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.				\$--	
TOTAL FEES ENCLOSED =				\$1,810	

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

10/561283	Amount to be refunded:	\$
	Amount to be charged:	\$

- X a. Check No. 167824 in the amount of \$1,810 to cover the above fees is enclosed.
- X b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.


SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Dennis K. Shelton
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Dennis K. Shelton
Registration No. 26,997
Direct Dial No. 206.695.1718

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 715 031 215 US
Date of Deposit: December 19, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Suzanne Ritch

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

DKS:cj/skg

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100